

REMARKS

Claims 1, 3, 4, 6, 7, 14, 15, 16, 18, 19, 21-24, 26, 27, and 29-36 are pending in the application.

By the foregoing Amendment, claims 1, 16, and 24 are amended as discussed below. Claims 2, 5, 8-13, 17, 20, 25, and 28 are cancelled without prejudice or disclaimer. New claims 31-33 depending respectively from claims 1, 16, and 24, and new independent claims 34-36 are added.

These changes are believed not to introduce new matter, and entry of the Amendment is respectfully requested.

Based on the above Amendment and the following Remarks, Applicant respectfully requests that the Examiner reconsider all outstanding rejections, and withdraw them.

Rejections under 35 U.S.C. § 103

1. Claims 1-6 and 15-21

In paragraph 2 of the Office Action, claims 1-6 and 15-21 were rejected under section 103(a) as being unpatentable over Steidinger in view of Charley. This rejection is believed to be overcome by the amendments to independent claims 1 and 16.

In the Office Action, the Examiner now relies on Figures 3 and 4 of Steidinger. In this embodiment, the die-cut is in the form of microperforations (column 7, lines 50-52), which extend substantially through the bottom-most layer 115 (column 8, lines 35-37), except where the cutting die has notches N. In the area of notches N, the bottom laminate is slightly, but not entirely cut to

leave ties of sufficient strength to stabilize and retain the card during subsequent machine handling (column 8, lines 37-46).

In the embodiment of the invention described at paragraph 30 of the application, the die-cut is continuous and burstable, in contrast to the die-cut disclosed by Steidinger. Claims 1 and 16 have been amended to reflect these differences.

Charley is relied upon in the Office Action for its teaching of a carrier sheet of printed paper having printed matter thereon and a thin, flexible magnetic patch of magnet material adhesively secured to the rear surface of the paper. Therefore, Applicant's invention as recited in claims 1 and 16 and the claims depending therefrom would not result from a combination of Steidinger and Charley as applied in the Office Action.

In view of the foregoing, it is respectfully submitted that the invention as recited in claims 1 and 16 and the claims depending therefrom is patentable over Steidinger in view of Charley; and that the rejection should be withdrawn.

2. Claims 7, 14, and 22-30

In paragraph 3 of the Office Action, claims 7, 14, and 22-30 were rejected under section 103(a) as being unpatentable over Steidinger in view of Charley, and further in view of Peterson. This rejection is believed to be overcome by the amendment of claims 1, 16, and 24 for the reasons discussed above with respect to the rejection of claims 1-6 and 15-21.

Claim 24 has been amended in the same manner as claims 1 and 16.

Peterson is relied on in the Office Action for its teaching of foldable panels to constitute a glue fold envelope mailer containing an outer address panel and an inner printed message containing

a die-cut card. Therefore, Applicant's invention as recited in claims 7, 14, and 22-30 would not result from a combination of Steidinger, Charley, and Peterson as applied in the Office Action.

In view of the foregoing, it is respectfully submitted that the invention as recited in claims 7, 14, and 22-30 is patentable over Steidinger in view of Charley and further in view of Peterson; and that the rejection should be withdrawn.

New claims 34-36

In the embodiment of the invention described at paragraph 30 of the application, it is not necessary to form holding tabs in the continuous and bustable die-cut, in contrast to the die-cut disclosed by Steidinger.

New claims 31-33 are directed to the embodiment of the invention described at paragraph 30 of the application, wherein the continuous, burstable holding means holds the die-cut card area in the paper sheet without holding tabs. The invention as recited in new claims 31-33 is therefore believed to be distinguishable from Steidinger.

Steidinger also discloses that the die cuts through all the layers above the bottom laminate 115 (column 8, lines 35-40). As is shown in Figure 3, the die is continuous, so the die-cut through layers 112, 113, 111, and 116 also must be continuous.

In the embodiment of the invention described at paragraph 28 of the application, the die-cut is formed to leave holding tabs, which as shown in Figure 5, are formed by the upper layers 11 and 16, as well as the patch of magnetic material. New independent claims 34, 35, and 36 are directed to this embodiment, and reflect the difference between this embodiment and the Figure 3

embodiment of Steidinger. The invention as recited in new claims 34-36 is therefore also believed to be distinguishable from Steidinger.

Conclusion

All rejections have been complied with, properly traversed, or rendered moot. Thus, it now appears that the application is in condition for allowance. Should any questions arise, the Examiner is invited to call the undersigned representative so that this case may receive an early Notice of Allowance.

Favorable consideration and allowance are earnestly solicited.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By: 

Date: June 15, 2005

Customer No. 00,136
400 Seventh Street, N.W.
Washington, D.C. 20004
(202) 638-6666

Allen S. Melser
Registration No. 27,215